

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA**

**V.**

**TERRELL ASHBY**

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**CRIMINAL NUMBER 21-203-1**

**ORDER**

**AND NOW**, this                      day of                      , 2023, the Court being advised that defense counsel needs additional time to effectively prepare the above-captioned matter for trial, and that the Government has no objection to the defendant's motion for extension for commencement of trial, the Court finds that the ends of justice to be served by granting a continuance in this matter outweigh the public's interest in a speedy trial, and therefore pursuant to Title 18, United States Code, § 3161(h)(7)(A) it is hereby **ORDERED** the defendant's motion for continuance of time for commencement of trial is **GRANTED**, and the trial of this matter **SHALL** commence on or after                      , 20                      .

**BY THE COURT:**

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**THE HONORABLE GERALD A. McHUGH**  
United States District Court Judge

**IN THE UNITED STATES DISTRICT COURT  
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**CRIMINAL NUMBER 21-203-1**

**DEFENDANT'S UNOPPOSED MOTION TO CONTINUE TRIAL**

Terrell Ashby, by his attorney, Michael McCrossen, Assistant Federal Defender, Federal Community Defender Office for the Eastern District of Pennsylvania, hereby requests a continuance of trial in the above captioned case. As grounds counsel avers as follows:

1. On May 28, 2021, Mr. Ashby was arraigned and pled not guilty on all counts before The Honorable Richard A. Lloret, on an Indictment charging him with cyberstalking resulting in serious bodily injury in violation of 18 U.S.C. §§ 2261A(2)(B) and 2261(b)(3), cyberstalking in violation of 18 U.S.C. § 2261A(2)(B) and extortion in violation of 18 U.S.C. § 875(d).
2. Trial in this matter is scheduled to commence on November 27, 2023.
3. Additional time is requested to review discovery materials with Mr. Ashby, conduct investigations, determine what, if any, pretrial motions are appropriate, and to otherwise prepare for trial. A continuance of not less than ninety (90) days is respectfully requested.
4. Under the Speedy Trial Rule, Title 18 U.S.C. §§ 3161(h)(7)(A), (B) and (C), the period of delay resulting from a continuance is excludable where granting the continuance serves the ends of justice and outweighs the best interest of the public and the defendant in a speedy trial. Defense counsel agrees that all time until the next trial date would be excludable if the

Court grants the instant motion.

5. Failure to grant this request for a continuance would result in a miscarriage of justice, 18 U.S.C. § 3161(h)(7)(B)(i).

6. Failure to grant the continuance would deny counsel for the defendant the reasonable time necessary for preparing effectively to represent defendant at trial.

7. A Speedy Trial Waiver signed by the defendant will be provided shortly.

8. Assistant United States Attorney Sarah M. Wolfe does not oppose this application for continuance.

**WHEREFORE**, for the reasons cited and in the interests of justice, the defense respectfully requests that this motion be granted, and the trial be continued for not less than ninety (90) days.

Respectfully submitted,

/s/Michael McCrossen  
MICHAEL MCCROSSEN  
Assistant Federal Defender

**CERTIFICATE OF SERVICE**

I, Michael McCrossen, Assistant Federal Defender, Federal Community Defender Office for the Eastern District of Pennsylvania, hereby certify that I have caused a copy of the Defendant's Unopposed Motion to Continue Trial to be filed and served through the Eastern District Clerk's Office Electronic Case Filing ("ECF") notification upon Sarah M. Wolfe, Assistant United States Attorney, United States Attorney's Office, 615 Chestnut Street, Suite 1250, Philadelphia, Pennsylvania, 19106.

/s/ Michael McCrossen  
MICHAEL MCCROSSEN  
Assistant Federal Defender

DATE: September 8, 2023